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September 25, 2007

Ms. Corinne Macaluso
U.S. Department of Energy
c/o Patricia Temple
Bechtel SAIC Company, LLC
995 N. L'Enfant Plaza SW Suite 8000
Washington, D.C. 20024

Dear Ms. Macaluso,

Inyo County respectfully submits the following comments to the U.S. Department of Energy's Federal Register notice for a proposed policy revision regarding distribution of Section 180 (c) funds under the Nuclear Waste Policy Act (NWPA) of 1987, as amended. This notice was published in the Federal Register, Volume 72, Number 140, on July 23rd, 2007.

In this notice, the U.S. Department of Energy (DOE) asked for input on six questions related to the proposed procedure for distributing Section 180 (c) funds. Generally, the funding allocation formula set forth in the Federal Register notice will most likely ensure an appropriate distribution of funding. Additionally, Inyo County believes that the use of U.S. Census Department data to calculate population will prove to be the most acceptable way to determine populations along the routes. However, Inyo County does have several concerns related to the policy set out in the Federal Register notice.

First, the definition of shipping sites should be refined so that small volume shipping sites do not receive undue weight in the formula calculations. There are a large number of these small sites throughout the United States and it would be appropriate for the DOE to establish a minimum amount of waste as a threshold for a site to be considered in this calculation. Otherwise, the DOE should exclude sites not evaluated in the Yucca Mountain Final Environmental Impact Statement.

Inyo County is concerned that the funding may not be directly provided to the emergency first responders along potential routes. The DOE should define a process for providing funding that will ensure Section 180 (c) funding is used to train firefighters and provide equipment in a way that enhances readiness along transportation corridors. The current proposal could result in a diversion of funding into state administrative costs instead of actual improved readiness. This is of great concern because of the very large number of counties that will be affected by shipments. The likely minimum number of counties that will be impacted by a shipping campaign is approximately 669, with a maximum of approximately 707 counties. Each of these counties will be vying for some share of